SETTLEMENT AND DISCLAIMER

THIS SETTLEMENT AND DISCLAIMER, entered into this 29 day of September, 2014, by and between the Beckley / Raleigh County Drug and Violent Crime Unit, hereinafter referred to as the "Drug Unit," the State of West Virginia, hereinafter referred to as "State," and Amanda Williams who reside(s) at 115 Barnes Court, Crab Orchard, WV hereinafter referred to as, "Individual(s)."

WHEREAS, certain property was seized by the Drug Unit on the 29 day of September, 2014 to-wit: 2005 Mercedes VIN WDBRF40JX5F711827 which said property was found in the possession or constructive possession of the individual(s); and

WHEREAS, it is the position of the Drug Unit and the State that said property is, or was, being used in violation of Federal and/or West Virginia law and is otherwise forfeitable pursuant to the West Virginia Contraband Forfeiture Act, W.Va. Code §60A-7-701, et. seq. or any other law of the State of West Virginia; and

WHEREAS, it is the position of the individual(s) that they claim no knowledge of or any possessory or ownership interest in the said property and that, further, they wish to disclaim and waive any and all interest they have, if any, to the said property; and

WHEREAS, it is the intent of all parties hereto to settle any and all forfeiture claims of the Drug Unit and the State in and to the said property.

NOW, THEREFORE, WITNESSETH:

That for and in consideration of the mutual agreements, stipulations and matters set forth below, the Drug Unit, State and Individual(s) do hereby agree and stipulate as follows:

1. The Individual(s) hereby disclaims and waives any and all right, title, interest and/or ownership in and to the property seized by the Drug Unit on the date and as described above.
2. The Drug Unit and the State agree to forego their right to bring and/or maintain any forfeiture proceeding against the seized property found in the possession or constructive possession of the Individual(s).
3. The Individual(s) agree and do hereby assign, transfer and otherwise convey any and all right, title and interest in and to the seized property unto the State on behalf of the Drug Unit.
4. The Individual(s) agree and do hereby release the Drug Unit and the State, and their respective servants, agents, and/or employees and any and all other persons, firms or corporations acting at the request of or on behalf of the Drug Unit and/or State from any and all liability or claims of any nature arising out of the seizure and subsequent disclaimer and waiver of any and all interest in and to the seized property.
5. The Drug Unit, State and Individual(s) do further agree that ______________ Nothing Follows ______________________________

All parties hereto agree that the disclaimer of any and all interest in and to the said seized property and settlement of the forfeiture claims of the Drug Unit and the State shall in no way be construed as a settlement of any criminal charges now pending or which may be brought against the Individual(s) or any other persons and that this Settlement and Disclaimer resolves and compromises only the Drug Unit and State's civil claim for forfeiture of the said seized property; that the recitals herein are contractual in nature and not mere recitals; and that the Individual(s), by entering into this agreement, make(s) no admissions or confessions with regard to any substantive criminal charges.

The representation and warranties contained herein shall survive the execution hereof.

WITNESSETH the following signatures:

INDIVIDUAL(S):

____

115 Barnes Court

Crab Orchard, WV

(304) 992-5587

WV F026973

Beckley / Raleigh County Drug and Violent Crime Unit

By: ______________________________

STATE OF WEST VIRGINIA

By: ______________________________

Its: ______________________________